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the transferor shall provide to the transferee documents which include information on the maximum recommended treatment level.

(d) *Ethanol denaturant*. On each occasion when any person transfers custody or title to any ethanol denaturant designated as suitable for use in the manufacture of denatured fuel ethanol meeting federal quality requirements pursuant to § 80.1611, the transferor shall provide to the transferee documents which include all the following information:

(1) The name and address of the transferor.

(2) The name and address of the transferee.

(3) The volume of ethanol denaturant which is being transferred.

(4) The location of the ethanol denaturant at the time of the transfer.

(5) The date of the transfer.

(6) A statement identifying the batch as “Ethanol denaturant suitable for the manufacture of denatured fuel ethanol meeting federal quality requirements”, or another identifying statement as approved by EPA consistent with the requirements of § 80.1611.

(7) Information on the sulfur content of the ethanol denaturant, as applicable, pursuant to the requirements of § 80.1611.

(e) *Oxygenate*. On each occasion when any person transfers custody or title to any oxygenate, the transferor shall provide to the transferee documents which include all the following information:

(1) The name and address of the transferor.

(2) The name and address of the transferee.

(3) The volume of oxygenate which is being transferred.

(4) The location of the oxygenate at the time of the transfer.

(5) The date of the transfer.

(6) For denatured fuel ethanol, a statement identifying the batch as “Denatured fuel ethanol, maximum 10 ppm sulfur”.

(7) For oxygenates other than DFE, the name of the specific oxygenate must be identified on the PTD, followed by “maximum 10 ppm sulfur”.

(8) Alternative PTD language to that specified in paragraphs (e)(6) and (7) of

this section may be used as approved by EPA consistent with the requirements of § 80.1610.

§ 80.1652 Reporting requirements for gasoline refiners, gasoline importers, oxygenate producers, and oxygenate importers.

Beginning with the 2017 averaging period or the first year credits are generated under § 80.1615 (whichever is earlier), and continuing for each averaging period thereafter, any gasoline refiner or importer shall submit to EPA annual reports that contain the information required in this section, and any other information as EPA may require. Beginning with the 2017 calendar year and continuing each calendar year thereafter, any oxygenate producer or importer shall submit to EPA annual reports that contain the information required in this section, and any other information as EPA may require. Reporting shall be on forms and use procedures prescribed by the Administrator.

(a) *Gasoline refiner and importer annual reports*. Any refiner, for each of its refineries, and any importer for the gasoline it imports, shall submit a report for each calendar year averaging period that includes all the following information:

(1) The EPA importer, or refiner and refinery facility registration numbers.

(2) The average standard under § 80.1603, reported to two decimal places.

(3) The total volume of gasoline produced or imported, reported to the nearest whole number.

(4) The annual average sulfur level of the gasoline produced or imported, reported to two decimal places.

(5) The annual average sulfur level after inclusion of any credits, reported to two decimal places.

(6) Separately provided information for credits, and separately by year of creation, as follows:

(i) The number of credits at the beginning of the averaging period, reported to the nearest whole number.

(ii) The number of credits generated, reported to the nearest whole number.

(iii) The number of credits used, reported to the nearest whole number.

(iv) If any credits were obtained from or transferred to other parties; and for

each other party, its name and EPA refiner or importer registration number, and the number of credits obtained from or transferred to the other party.

(v) The number of credits that expired at the end of the averaging period, reported to the nearest whole number.

(vi) The number of credits that will carry over into the subsequent averaging period, reported to the nearest whole number.

(7) For each batch of gasoline produced or imported during the averaging period, all the following:

(i) The batch number assigned under § 80.65(d)(3); except that if composite samples of conventional gasoline representing multiple batches produced subsequent to December 31, 2003, are tested under § 80.101(i)(2) for anti-dumping compliance purposes, for purposes of this subpart a separate batch number must be assigned to each batch using the batch numbering procedures under § 80.65(d)(3).

(ii) The date the batch was produced.

(iii) The volume of the batch, reported to the nearest whole number.

(iv) The sulfur content of the batch, reported to two decimal places, along with identification of the test method used to determine the sulfur content of the batch, as determined under § 80.1630.

(8) All values measured or calculated pursuant to the requirements of this paragraph (a) shall be in accordance with the rounding procedure specified in § 80.9.

(9) When submitting reports under this paragraph (a) from January 1, 2017 through December 31, 2019, any importer shall exclude Certified Sulfur-FRGAS.

(b) *Additional reporting requirements for gasoline importers.* From January 1, 2017 through December 31, 2019, importers shall report all the following information for Sulfur-FRGAS imported during an annual averaging period:

(1) The EPA refiner and refinery registration numbers of each foreign refiner and refinery where the Certified Sulfur-FRGAS was produced.

(2) The total gallons of Certified Sulfur-FRGAS and Non-Certified Sulfur-FRGAS imported from each foreign re-

finer and refinery, reported to one decimal place.

(c) *Oxygenate refiner and importer annual reports.* Any oxygenate producer, for each of its production facilities, and any importer for the oxygenate it imports, shall submit a report for each calendar year period that includes all the following information:

(1) The EPA oxygenate importer, or producer and producer facility registration numbers.

(2) The total volume of oxygenate produced or imported, reported to the nearest whole number.

(3) For each batch of oxygenate produced or imported during the calendar year, all the following:

(i) The batch number assigned under § 80.1610(d).

(ii) The date the batch was produced.

(iii) The volume of the batch, reported to the nearest whole number.

(iv) The sulfur content of the batch, reported to two decimal places.

(v) For oxygenates other than denatured fuel ethanol, the identification of the test method used to determine the sulfur content of the batch pursuant to the requirements of § 80.1642(c).

(vi) For denatured fuel ethanol, either the identification of the test method used to determine the sulfur content of the batch (pursuant to § 80.1642), or the information used to calculate the sulfur content pursuant to the requirements of § 80.1642(c).

(4) All values measured or calculated pursuant to the requirements of this paragraph (c) shall be in accordance with the rounding procedure specified in § 80.9.

(d) *Report submission.* Any annual report required under this section shall be—

(1) Signed and certified as meeting all of the applicable requirements of this subpart by the owner or a responsible corporate officer of the refiner, gasoline importer, oxygenate producer, oxygenate importer, denaturant producer, or denaturant importer; and

(2) Submitted to EPA no later than the March 31 each year for the prior calendar year.

(e) *Attest reports.* Attest reports for refiner and importer attest engagements required under § 80.1667 shall be submitted to the Administrator by

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June 1 of each year for the prior calendar year.

§ 80.1653 Recordkeeping.

Unless otherwise provided for in this section, the records required by this section shall be retained for a period of five years from the date of creation, and shall be delivered to the Administrator of EPA or to the Administrator's authorized representative upon request.

(a) *Records that must be kept by gasoline refiners, importers, and parties in the gasoline distribution system.* Beginning January 1, 2017 or January 1 of the first year that credits are generated (whichever is earlier), any person who produces, imports, sells, offers for sale, dispenses, distributes, supplies, offers for supply, stores, or transports gasoline, shall keep records containing the information as required in this section.

(1) The product transfer document information required under § 80.1651.

(2) All the following information for any sampling and testing for sulfur content required under this subpart O:

(i) The location, date, time, and storage tank or truck identification for each sample collected.

(ii) The name and title of the person who collected the sample and the person who performed the test.

(iii) The results of the test as originally printed by the testing apparatus, or where no printed result is produced, the results as originally recorded by the person who performed the test.

(iv) Any record that contains a test result for the sample that is not identical to the result recorded under paragraph (a)(2)(iii) of this section.

(v) The test methodology used.

(b) *Additional records that refiners and importers must keep.* Beginning January 1, 2014, or January 1 of the first year credits are generated under § 80.1615, whichever is earlier, any refiner for each of its refineries and any importer for the gasoline it imports, shall keep records that include all the following information:

(1) For each batch of gasoline produced or imported—

(i) The batch volume.

(ii) The batch number assigned under § 80.65(d)(3) and the appropriate designation under paragraph (b)(1)(iv) of

this section; except that for composite samples of conventional gasoline representing multiple batches, that are tested under § 80.101(i)(2) for purposes of this subpart, a separate batch number must be assigned to each batch using the batch numbering procedures under § 80.65(d)(3).

(iii) The date of production or importation.

(iv) If appropriate, the designation of the batch as California gasoline under § 80.1654, exempt gasoline for national security purposes under § 80.1655, exempt gasoline for research and development under § 80.1656, or for export outside the United States.

(v) The test methodology used.

(2) Information regarding credits, separately kept according to the year of creation; and for credit generation or use starting in 2014. The following information shall be kept separately for each type of credit generated under § 80.1615:

(i) The number of credits in the refiner's or importer's possession at the beginning of the averaging period.

(ii) The number of credits generated.

(iii) The number of credits used.

(iv) If any credits were obtained from or transferred to other parties, all the following for each other party:

(A) The party's name.

(B) The party's EPA refiner or importer registration number.

(C) The number of credits obtained from, or transferred to, the party.

(v) The number of credits that expired at the end of the averaging period.

(vi) The number of credits in the refiner's or importer's possession that will carry over into the subsequent averaging period.

(vii) Contracts or other commercial documents that establish each transfer of credits from the transferor to the transferee.

(3) The calculations used to determine compliance with the applicable sulfur average standards of § 80.1603 or § 80.1604.

(4) The calculations used to determine the number of credits generated under § 80.1615.

(5) A copy of all reports submitted to EPA under § 80.1652.